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OFFICE OF PETITIONS

In re Application of
Karl-Erik Knipstrom, et. al.
Application No. 09/402,185
Filed: March 25, 2002
Attorney Docket No. C36305

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed by facsimile transmission on September 28, 2004, to revive the above-identified application.

The Office acknowledges receipt of \$1,330 for the petition to revive fee, \$770 for the Request for Continued Examination (RCE) under 37 CFR 1.114, \$650 in claim fees, and \$950 for a three (3) month extension of time. However, an extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$950 extension of time submitted with the petition on September 28, 2004, was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's credit card.

The petition is **GRANTED**.

The application file is being referred to Technology Center Art Unit 1725, for processing the Request for Continued Examination and for further review of the amendment filed with the instant petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy